

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CHRISTOPHER MANHART, *individually and on behalf
of all others similarly situated,*

Plaintiff,

v.

NATIONAL STUDENTS FOR JUSTICE IN
PALESTINE, et al,

Defendants.

No. 1:24-cv-8209

Hon. Mary L. Rowland

Magistrate Judge Keri L.
Holleb Hotaling

**DEFENDANT WESPAC FOUNDATION, INC.’S MOTION TO DISMISS PLAINTIFF’S
SECOND AMENDED COMPLAINT**

Defendant WESPAC Foundation, Inc. (“WESPAC”), by and through its attorneys, and pursuant to Rule 12(b)(2) and (6) of the Federal Rules of Civil Procedure and the Illinois Citizen Participation Act, hereby respectfully moves this Court for an Order dismissing Plaintiff’s Second Amended Complaint, ECF 69, filed on January 29, 2025, with prejudice, and with an award of attorneys’ fees and costs. In support of this motion, WESPAC submits the accompanying memorandum of law, and states as follows:

1. For the reasons stated in the accompanying memorandum of law, the Second Amended Complaint is barred by well-established law, fails to state valid claims on which relief

can be granted, fails to provide a basis for personal jurisdiction over WESPAC, and should be dismissed with prejudice pursuant to Rule 12(b)(2) and (6), and the Illinois Citizen Participation Act, with an award of attorneys' fees and costs pursuant to that Act.

WHEREFORE for all the reasons stated in this motion and accompanying memoranda of law in support, Defendant WESPAC respectfully requests that this Court enter an Order (1) dismissing Plaintiff's Second Amended Complaint with prejudice; and (2) granting any other relief to WESPAC that the Court deems proper.

Dated: February 25, 2025

HERBST LAW PLLC

/s/ Robert L. Herbst

Robert L. Herbst

rherbst@herbstlawny.com

420 Lexington Avenue, Suite 300

New York, New York 10170

Tel: 914-450-8163 Fax: 888-482-4676

Attorneys for Defendant

WESPAC Foundation, Inc.